

U.S. ENVIRONMENTAL PROTECTION AGENCY  
EMERGENCY ACTION MEMO / INITIAL POLLUTION REPORT

Date: 3/11/99, 1999

Subject: \_\_\_\_\_

From: John Nolen, OSC, Region IV

To: Regional Response Center, 4WD-ERRE

I. PURPOSE

The purpose of this document is twofold. First, it documents the decision to initiate emergency removal/stabilization actions described herein for the GOINS WASTE OIL SITE, Cleveland, Bradley Co., Tennessee under the OSC's \$200,000 authority. Additionally, it serves as the Initial Pollution Report (POLREP #1) for the Site.

II. BACKGROUND

Site No: A4N2

Delivery Order No: 68-57-4008 DO# 4

DO Amount: \$ 8150,000

Contractor: ETI

CERCLIS No: TND981022395

ERNS No: \_\_\_\_\_

Response Authority: CERCLA

NPL Status: Non-NPL

State Notification: 3/16/99

Start Date: 3/15/99

Demobilization Date: \_\_\_\_\_

Completion Date: \_\_\_\_\_

III. SITE INFORMATION

A. Incident Category: (check one)

- Active Production Facility
- Inactive Production Facility
- Active Waste Management Facility
- Inactive Waste Management Facility
- Midnight Dump
- Transportation Related
- Other (specify)

B. Site Location

1. Site description

a. Removal site evaluation

The site is located at 801 15th St., N.E. in a mixed industrial/residential area of

Cleveland, Bradley Co., Tennessee. The site is a closed oil recycling facility on about 6100 Sq. feet of space. The site contains approximately 120,000 gallons of waste oil containing a variety of hazardous substances. The oil is contained in AST's and drums.

- b. Physical location and Site characteristics The site is located in a mixed residential / industrial area. The site contains 3 buildings, 11 above ground storage tanks, 30 (55 g) drums. 4 of the AST's are surrounded by a concrete containment area which has a soil / gravel bottom. The containment area is heavily oiled and fills up with rain water frequently.
- c. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant The presence of waste oil in the AST's, drums, and containment area containing hazardous substances constitutes an imminent hazard. Lab analysis revealed the presence of VOC's, BTEX constituents, metals, & PCBs in soil. The material in the AST's, drums, and soil is readily susceptible to leachates. Secondary containment is not adequate.

## 2. Description of threat

Explanations of how this release or threat of release meets the criteria for threats to public health or welfare or the environment in section 300.415 (b) (2) of the NCP are discussed below.

- a. 300.415(b)(2)(i) "Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants.": Threat of release from the many containers of haz substances, which creates an imminent hazard to the people who live & work in the vicinity. The oil will continue to leak onto the ground surface and threaten the surface water and groundwater.

b. 300.415(b)(2)(iii) "Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.":

120,000 gallons of waste oil containing hazardous substances  
30 (55 gallon) drums containing oil sludge with hazardous substances.  
11 AST's contain the oil

c. 300.415(b)(2)(v) "Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released.":

rain water continues to fill up the secondary containment and threatens to be released onto the ground surface into a ditch or storm drain which leads to surface water

d. 300.415(b)(2)(vi) "Threat of fire or explosion.":

NONE

e. 300.415(b)(2)(vii) "The availability of other appropriate federal or state response mechanisms to respond to the release.":

State does not have available resources to abate the ongoing releases at the facility.

ATSDR has not conducted a health assessment. Health advisories, consultations, or other health risk advice are attached, if such documents exist.

C. Preliminary Assessment/Site Inspection Results:

A Preliminary Assessment/Site Inspection has  
(has/has not) been performed at this site.

IV. RESPONSE INFORMATION

A. Situation

1. Current situation: From the Start date to the date of this document, the weather has been Sunny with low temperature ranges of 30° to 40° F and high temperature ranges of 50° to 60° F. There has been no media activity.

2. Removal activities to date

a. Federal Government/Private Party

Earth Tech / EPA mobilized to the Site on 3/15, 1999. The response actions initiated by the Federal Government/Responsible Party include:

sampling and analysis: collected 7  
samples of oil, sludge, and waste water  
to be analyzed for disposal profile.

waste containment and cleanup activities:  
ETI pumped approximately 13,000 gallons  
of oil contaminated rain water from the  
containment area to prevent an overflow.  
material was pumped into a Baker Tank staged on-site.

community relations activities: A press  
release will be issued and door to door  
or site visits will be conducted prior to or  
during the early stages of the removal.

other activities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

These actions have been effective in mitigating the threat to the public health, welfare and environment. These current actions will correlate with the planned removal actions.

b. State/Local

\_\_\_\_\_ of \_\_\_\_\_ requested EPA's assistance with the Site.

were the first responders. Their actions to protect public health and the environment and its effectiveness include: EPA discovered the site during a routine SACC inspection. EPA conducted two separate emergency response efforts at the site to prevent an overflow of the secondary containment.

The State and EPA CIO worked on the site prior to ERRB's involvement.

The following State or other agency personnel remain at the site: \_\_\_\_\_

NONE

The potential for continued State/local response is \_\_\_\_\_. The future roles of state or local government personnel include: \_\_\_\_\_

The following are funding issues relative to continued State or local response: \_\_\_\_\_

N/A

3. Enforcement<sup>1</sup>

The PRPs are \_\_\_\_\_ known. They cannot (cannot) and will not (will not) perform the proposed response promptly and properly. The following enforcement actions have been initiated by EPA or the State:

- PRP search
- notification letters
- administrative orders issued
- other: \_\_\_\_\_

<sup>1</sup> Enforcement strategy is not part of the Action Memo for purposes of NCP consistency.

B. Planned Removal Actions

1. Proposed action description

The specific tasks involved in the proposed response to the threats include (check applicable):

- Containment and Countermeasures: remove all oil from site containment area when rain threatens an overflow - stage in on-site Baker tank
- Cleanup, Mitigation and Disposal: Dispose of all oil, sludge, contaminated soil, scrap metal
- Restoration: Restore site to original grade with clean backfill.
- Analytical: perform confirmation sampling prior to restoration
- Other: \_\_\_\_\_

Any off-site disposal will be in compliance with the CERCLA off-site disposal policy. The rationale for choosing the response action, supporting data for the decision, and the technical feasibility and probable effectiveness of the proposed action include:

Necessary to abate the threats to the public and the environment.

2. Contribution to remedial performance

The proposed actions will, to the extent practicable, contribute to the efficiency

performance of any long-term remedial action at the site.

3. Description of Alternative Technologies

The following alternatives to land disposal have been considered:

N/A

The alternative technology objectives are met by:

N/A

The alternative technology selection criteria are met by:

N/A

The ERD Director \_\_\_\_\_ approved the use of these innovative or emerging technologies.

4. ARARs

The Federal ARARs identified for the site include:

- RCRA Land Disposal Restrictions
- RCRA Treatment, Storage and Disposal
- RCRA Transportation
- TSCA
- CAA
- CWA
- DOT
- OSHA
- Other: \_\_\_\_\_

The State was requested to provide ARARs on \_\_\_\_\_ days. The ARARs provided by the State include: \_\_\_\_\_

5. Project schedule

The removal action is anticipated to be completed within one year of the Start Date listed

in Section II of this document.

C. Next Steps

Ongoing and future response activities plans include:

\_\_\_ Containment and Countermeasures: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ *N/A* \_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Cleanup, Mitigation and Disposal: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Restoration: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Analytical: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The following enforcement activities are planned:

- PRP search
- notification letters
- \_\_\_ administrative orders issued
- \_\_\_ other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

The following meetings with local authorities and community relations activities are planned:

\_\_\_ *press release - meeting with city administrators - door*  
\_\_\_ *to door meeting with nearby residents.*  
\_\_\_\_\_  
\_\_\_\_\_

D. Key Issues

The following are problem areas or issues of concern: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



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VII. ENDANGERMENT DETERMINATION

Actual or threatened releases of                      hazardous substances,            pollutants or contaminants from this site, if not addressed by implementing the response action selected in this Action Memorandum may present an imminent and substantial endangerment to public health, welfare, or the environment.

VIII. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

A delay in action or no action at this Site would increase the actual or potential threats to the public and the environment. The worst-case scenario is: Contaminated waste oil could overflow containment and enter drainage ditch. Oil would eventually migrate into surface waters.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IX. OUTSTANDING POLICY ISSUES

The following remaining policy issues are associated with the site:

None

Policy Issues: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X. APPROVAL

This decision document approves a proposed removal action for this Site, developed in accordance with CERCLA as amended, and not inconsistent with the National Contingency Plan. This decision is based on the information on record for the site.

Conditions at the site meet the NCP Section 208.415(b)(2) criteria for a removal and through this document, I am approving the proposed removal actions. The total project ceiling is \$200,000, of which an estimated \$ 150,000 will be funded from the Regional removal account.

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*John F. Niles*

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3/16/99  
DATE

Site: Goins Waste Oil

BREAK: 2.9

Note: Due to the CONFIDENTIAL nature of the material, pages 0012 through 0014 of this document have been withheld. Withheld material is available, for Judicial review only, in the Record Center at EPA Region IV, Atlanta, Georgia.